

Examiner contends that both Carlet and Meyer teach the claimed subject matter including use of conductive particles, a polymer and either stabilizers and flame retardants but do not show use of an organic stabilizer such as pheylenedimaleimide. The Examiner goes on to note that Kotian does disclose that the use of pheylenedimaleimide in a PTC material is beneficial and leads to a more efficient heating device. As such, the Examiner believes it would be obvious to modify either Carlet or Meyer to use this stabilizer in their devices to produce a more stable and efficient heating device.

The rejection under §103(a) over Carlet or Meyer in view of Kotian et al is respectfully traversed.

In order to support a rejection under 35 U.S.C. §103, the Examiner must establish that there is some suggestion, either in the reference or in the relevant art, of how to modify what is disclosed to arrive at the claimed invention. In addition, "[s]omething in the prior art as a whole must suggest the desirability, and, thus, the obviousness, of making the modification to the art suggested by the Examiner. *Uniroyal, Inc. v. Rudkin-Wiley Corp.*, 837 F.2d 1044, 1051, 5 U.S.P.Q.2d (BNA) 1434, 1438 (Fed. Cir.), cert. denied, 488 U.S. 825 (1988). That is, although the Examiner may suggest that the teachings of a primary reference could be modified to arrive at the claimed subject matter, the modification is not obvious unless the prior art also suggests the *desirability* of such modification. *In re Laskowski*, 871 F.2d 115, 117, 10 U.S.P.Q.2d (BNA) 1397, 1398 (Fed. Cir. 1989).

While Kotian et al. discusses the use of N-N-m-phenyleneimaleimide, the use is disclosed as being in the nature of a radiation sensitizer in an insulating jacket for a semi-conductive heating cable. There is no teaching or disclosure whatsoever that the compound is useful in the semi-conductive portion of the heating cable. Thus, since Carlet and/or Meyer fail to teach or disclose the use of organic stabilizers such as N-N-m-



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phenylenedimaleimide and Kotain et al. discloses the use of N-N-m-phenylenedimaleimide in a non-conductive component of a conductive device, the proposed combination is believed to be improper and insufficient to sustain a rejection under §103(a).

Applicants agree with the Examiner's suggestion that the subject matter of Claims 8 and 23 is allowable, but of course believes that claims 1-7, 9-22 and 24-29 are also allowable for the above stated reasons.

In view of the foregoing, this application should be in condition for allowance and such action is respectfully requested. If the Examiner believes that personal contact would be advantageous to the disposition of this case, he is respectfully requested to contact the undersigned at his earliest convenience.

Respectfully submitted,

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